

## **REMARKS**

### **REJECTIONS UNDER 35 U.S.C. § 103**

#### **Claims 25, 36, 44 and 47**

Claims 25, 36, 44 and 47 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,285,883 issued to Bringby et al. (*Bringby*) in view of Itoh et al.: Performance of Handoff Algorithm Based on Distance and RSSI measurements (*Itoh*). Claims 25, 36 and 44 have been amended to include allowable subject matter.

Accordingly, Applicant submits claims 25, 36 and 44 are in condition for allowance and requests withdrawal of the rejection of these claims. Claim 47 depends from claim 44 and is allowable for at least the same reasons claim 44 is allowable.

#### **Claims 26 and 37**

Claims 26 and 37 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Bringby* in view of *Itoh*, as applied to claims 25 and 36 above, and further in view of U.S. Patent Publication No. 2001/0002822 to Watters et al. (*Watters*). As discussed above, independent claims 25 and 36 have been amended to include allowable subject matter. Claims 26 and 37 depend from claims 25 and 36, respectively. Given that dependent claims necessarily include the limitations of the claims from which they depend, Applicant respectfully submits claims 26 and 37 are also allowable.

#### **Claim 27**

Claim 27 was rejected under 35 U.S.C. § 103(a) as being unpatentable over *Bringby* in view of *Itoh*, as applied to claim 25 above, and further in view of U.S. Patent No. 6,466,164 issued to Akopian et al. (*Akopian*). Given the amendment to independent

claim 25 discussed above, Applicant submits claim 27 is allowable for at least the same reasons claim 25 is allowable.

Claim 45

Claim 45 was rejected under 35 U.S.C. § 103(a) as being unpatentable over *Bringby* in view of *Itoh*, as applied to claim 44 above, and further in view of U.S. Patent Publication No. 2003/0073455 to Hashem et al. (*Hashem*). Given the amendment to independent claim 44 discussed above, Applicant submits claim 45 is allowable for at least the same reasons claim 44 is allowable.

ALLOWABLE SUBJECT MATTER

Claims 34 and 35 are allowed. Claims 28-33, 38-43 and 47-48 were objected to as being dependent upon a rejected base claim. Claims 28, 38 and 48 have been cancelled. Thus, the rejection of these claims is moot. Claims 29-33, 39-43 and 47 are allowable given that they depend from allowable claims 25, 36 and 44, respectively.

CONCLUSION

For at least the foregoing reasons, Applicant submits that the rejections have been overcome. Therefore, claims 25-27, 29-37, 39-45 and 47 are in condition for allowance and such action is earnestly solicited. The Examiner is respectfully requested to contact the undersigned by telephone if such contact would further the examination of the present application.

Please charge any shortages and credit any overcharges to our Deposit Account number 02-2666.

Respectfully submitted,  
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I hereby certify that this correspondence is being submitted electronically via EFS Web on the date shown below.

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